

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

Streamlining Deployment of Small Cell)	
Infrastructure by Improving Wireless Facilities)	
Siting Policies)	WT Docket No. 16-421
)	
Mobilitie, LLC Petition for Declaratory Ruling)	

OPPOSITION TO MOTION FOR EXTENSION OF TIME

Mobilitie, LLC (“Mobilitie”) opposes the motion of the National Association of Telecommunications Officers and Advisors and other groups (“NATOA et al.”) for a four-week extension of the reply comment period in this proceeding.

This is the second delay in this proceeding that these same groups have requested. On January 5, 2017, they asked for extensions of the original pleading cycle totaling 90 days, including a 60-day reply comment period. The Wireless Telecommunications Bureau agreed to extend the initial comment deadline by one month, but declined to extend the reply comment deadline.¹ Nonetheless, NATOA et al. now resurrect their request – seeking the same 60-day reply period that the Bureau previously denied.

Chairman Pai has warned that the current “creaky regulatory approach is going to be the bottleneck that holds American consumers and businesses back.”² Delay in this proceeding will only allow that “bottleneck” to continue to obstruct needed infrastructure investment.

The long requested extension is in any event unjustified. First, it will push the end of the comment cycle two months beyond what the Commission initially targeted – from March 8 to

¹ *Streamlining Deployment of Small Cell Infrastructure by Improving Wireless Facilities Siting Policies, Mobilitie, LLC Petition for Declaratory Ruling*, WT Docket No. 16-421, Order, DA 17-51 (WTB 2017).

² Remarks of FCC Commissioner Ajit Pai, “A Digital Empowerment Agenda,” at 2 (Sept. 13, 2016).

May 5 – and nearly five months after the Public Notice that initiated this proceeding was adopted. Such a relaxed schedule is inconsistent with the Commission’s recognition that there is an urgent need for new infrastructure to meet the exploding demand for broadband. Indeed the Public Notice identified previous actions the Commission took to streamline siting, and declared, “The Commission now has an opportunity to build on these actions by issuing a declaratory ruling to further expedite the deployment of new network infrastructure that can give consumers across the country access to superior wireless services.”³

Second, the request of NATOA et al. for more delay in this proceeding echoes the deployment delays that some of their members continue to impose. The record vividly shows that wireless providers have faced substantial delays in securing local approvals for new facilities, which are blocking investment in critical infrastructure nationwide. Many delays are the result of local regulations and practices adopted by NATOA et al.’s own members, such as moratoria, refusals to consider new small cell facilities in rights of way, and failures to act on siting applications. It is ironic to say the least that localities who are causing delays in deployment are now asking the Commission for more delay.

Third, NATOA et al. claim the “numerous comments” which were filed warrant an extension, noting that “there were no less than 860 comments filed to date.” They fail to note, however, that more than 800 of those “comments” were in fact one-page e-mails or letters that either supported localities or addressed issues that are not pertinent to this proceeding. The volume of comments thus does not justify an extension.

³ *Streamlining Deployment of Small Cell Infrastructure by Improving Wireless Facilities Siting Policies, Mobilitie, LLC Petition for Declaratory Ruling*, Public Notice, WTB Docket No. 16-421 (WTB 2016), at 2.

For these reasons, Mobilitie respectfully urges the Commission to preserve the existing comment cycle, so that it can act as soon as possible to clear the way for the substantial investment in new telecommunications infrastructure that is urgently needed to meet the public's ever-growing reliance on broadband.

Respectfully submitted,

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